

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JHOANA JUCA, et al.,

Plaintiffs,

-against-

DAVID C. BANKS, et al.,

Defendants.

USDC SDNY
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DATE FILED: 10/16/2023

23-CV-3508 (JHR) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

The Court is in receipt of plaintiffs' letter dated October 3, 2023 (Dkt. 39), and defendants' response dated October 12, 2023. (Dkt. 40).

To the extent plaintiffs seek an order requiring defendants to make certain payments that plaintiffs describe as "uncontested" (Dkt. 39 at 1), the application is DENIED. First, it is procedurally improper. Plaintiffs' summary judgment motion is due **November 1, 2023**, along with the parties' joint stipulation of facts which are not in dispute. (*See* Dkt. 37.) This Court has no authority to determine, in advance of that filing, what is and is not "contested," much less to direct payment on that basis. Second, as set forth in defendants' October 12, 2023 letter (Dkt. 40), they disagree with plaintiffs' characterization of what is "uncontested." To the extent plaintiffs' letter seeks a conference to discuss what is and is not contested, the request is similarly DENIED.

Dated: New York, New York
October 16, 2023

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge